

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

TERRY LAMAR MCCOY

PLAINTIFF

v.

Case No. 4:20-cv-00700-LPR

SAMUAL BAKER, *et. al.*


DEFENDANTS

ORDER

The Court has received a Partial Recommendation for dismissal from United States Magistrate Judge Beth Deere. (Doc. 5). Plaintiff Terry McCoy filed objections to the Recommendation. (Doc. 8). The Court has carefully reviewed the Recommendation, the objections, and the entire record *de novo*. Based on the Court's *de novo* review, the Court concludes that the Recommendation should be, and hereby is, approved and adopted as this Court's findings in its entirety.

Mr. McCoy's official capacity claims against all of the Defendants are DISMISSED without prejudice for failure to state a claim. Additionally, Mr. McCoy's personal capacity claims against Chief Deputy Joseph Gorman and Sheriff Lafayette Woods, Jr. are DISMISSED without prejudice for failure to state a claim. Pursuant to 28 U.S.C. § 1915(a)(3), the Court certifies that an *in forma pauperis* appeal of this Order would not be taken in good faith.

IT IS SO ORDERED this 3rd day of November 2020.



LEE P. RUDOFSKY
UNITED STATES DISTRICT JUDGE